



CLERK, U.S. BANKRUPTCY COURT DISTRICT OF OREGON	
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**United States Bankruptcy Court
for the District of Oregon**

Thomas M. Renn, Judge
Virginia H. Denney, Judicial Assistant
Howard J. Newman, Law Clerk

405 East Eighth Avenue, Suite 2600
Eugene, Oregon 97401

(541) 431-4050
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January 12, 2012

Ms Tracy Lynn Shepherd
6935 1/2 Oakhurst Street
Central Point, OR 97502

RE: In re Tracy Lynn Shepherd; Case No. 11-65872-tmr7
Objection to Notice of Intent to Not Grant Discharge

Dear Ms. Shepherd:

The court has reviewed your objection to the court's notice of intent to not grant a discharge. In your objection, you admit that you received a discharge under Chapter 7 of the Bankruptcy Code in Case # 04-60924-fra7 filed on February 11, 2004, which was within 8 years of your present case's filing on December 5, 2011. You argue however that the discharge in your present case cannot be entered until after 8 years from your previous case's filing and thus you are entitled to a discharge. Unfortunately, however, the 8 year period in § 727(a)(8) of the Bankruptcy Code runs between the filing date of the previous case and the filing, not the potential discharge, date of your current case.¹ An order will thus be entered overruling your objection and denying your Chapter 7 discharge.

I urge you to seek legal counsel so that you may consider your options.

Very truly yours,

THOMAS M. RENN
Bankruptcy Judge

TMR:vhd

cc: U. S. Trustee's office
Ms Candace Amborn, Trustee

¹Section 727(a)(8) provides:

- (a) The court shall grant the debtor a discharge, unless--
- (8) the debtor has been granted a discharge under this section, under section 1141 of this title, or under section 14, 371, or 476 of the Bankruptcy Act, in a case commenced within 8 years before the date of the filing of the petition.(emphasis added)